

# **EXHIBIT 6**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS  
EAST ST. LOUIS DIVISION**

CATHERINE ALEXANDER,

Plaintiff,

-VS-

TAKE-TWO INTERACTIVE SOFTWARE,  
INC.; 2K GAMES, INC.; 2K SPORTS, INC.;  
WORLD WRESTLING ENTERTAINMENT,  
INC.; VISUAL CONCEPTS ENTERTAINMENT;  
YUKE'S CO., LTD.; AND YUKE'S LA, INC.,

Case No. 3:18-cv-966-SMY-MAB

Defendants.

DECLARATION OF E. DEBORAH JAY, PH.D. IN SUPPORT OF DEFENDANTS  
TAKE-TWO INTERACTIVE SOFTWARE, INC., 2K GAMES, INC.,  
2K SPORTS, INC., AND VISUAL CONCEPTS ENTERTAINMENT'S  
MOTION FOR SUMMARY JUDGMENT

I, E. Deborah Jay, Ph.D., declare as follows:

1. I submit this declaration in support of Defendants Take-Two Interactive Software, Inc., 2K Games, Inc., 2K Sports, Inc. and Visual Concepts Entertainment's (collectively, "Take-Two") motion for summary judgment.

2. I am a principal and founder of Jay Survey Strategies LLC, a California research firm specializing in marketing and public opinion surveys.

3. Jay Survey Strategies was retained on behalf of Take-Two to conduct a survey with a nationwide representative sample of individuals who had bought a relevant *WWE 2K* video game (the "Jay Survey"). The purpose of the Jay Survey was to determine the reasons that consumers buy *WWE 2K* video games and whether the tattoos that appear on Randy Orton were a reason why consumers bought a *WWE 2K* video game.

4. Attached hereto as **Appendix A** is a true and correct copy of the expert report that I prepared for this action, dated January 7, 2019.

5. As explained in greater detail in Appendix A, the Jay Survey strongly supports the conclusion that consumers do not buy *WWE 2K* video games for the tattoos that appear on Randy Orton.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 6th day of November, 2019.



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E. Deborah Jay, Ph.D.